

March 12, 2015

LEGISLATIVE COMMITTEE REPORT

A Legislative Committee meeting was held on Thursday, March 12, 2015 at 6:00 p.m. in the County Administration Building, Quorum Court Meeting Room, 215 East Central, Bentonville, Arkansas

Committee Members Present: K. Harrison, Easley, Chiocco, J. Harrison, Sandlin, Meyers, Anglin

Others Present: JP Leadabrand, County Attorney George Spence, Comptroller Brenda Guenther

JP K. Harrison called the meeting to order at 6:00 p.m.

Public Comments

None

A. Sheriff's Office – Confiscated Firearms Disposal

County Attorney George Spence stated that he would get the current Sheriff's Office procedure for disposing of confiscated firearms, and then have someone from the Sheriff's Office attend the next meeting for discussion.

After lengthy discussion the item was tabled.

B. Amend Ordinance No. O-1984-12 - Authorizing the County Sheriff to Appoint Deputies Who Live Outside Benton County

County Attorney George Spence stated that the Sheriff's Deputies are under the same eligibility requirements as the Sheriff, and that it would take a constitutional amendment to change.

No action was taken.

C. Amend Ordinance No. O-2009-42 Increasing the Daily Fee Charged to Municipalities Housing Prisoners in the County Jail

Chair JP K. Harrison stated that the committee needs to consider a county ordinance increasing the fee charged to cities for holding prisoners in the county jail from \$40 per day to \$45. He added that Washington County currently charges \$60 per day to hold prisoners in its jail.

Lengthy discussion was held to increase the fee to the municipalities to house prisoners in the county jail.

Comptroller Brenda Guenther reported that in 2014, the total revenue from city prisoner fees was \$165,280 and that a \$5 increase with the same number of inmates would increase the total to approximately \$185,940. She added that 37% of those housed in the jail are city prisoners.

Further lengthy discussion was held on the number of prisoners that could be housed in the jail.

Brenda Guenther stated that she would work with the Sheriff's Jail staff to do a cost analysis of the cost of housing the inmates.

JP Meyers made motion to prepare an ordinance to raise the municipalities' daily jail fee to house inmates to \$50 a day and forward to the April 2, 2015 Finance Committee meeting, seconded by JP J. Harrison.

Further discussion was held on preparing an ordinance raising the jail fees to increase the municipalities' daily fee to house inmates.

JP Easley stated that he felt that more documentation was needed before making the decision to increase the municipality jail fees.

JP Meyers called for the question.

Motion passed by unanimous show of hands.

D. Ordinance to Increase the Daily Fee to House State Inmates in Arkansas County Jails – Opposing the Housing of Prisoners in Bowie County, Texas at a Cost of \$36 per day

JP K. Harrison stated it is important that our state legislators understand how we and our constituents feel about the state paying \$36 a day to an outside entity to house Arkansas prisoners, adding that the state mandates that counties have to house state prisoners.

JP Easley stated that if the state is going to raise our fee for housing state prisoners from \$28 to \$30 a day, and pay Texas \$36 but it costs us \$50, then he agrees that more is always good. He stated that we are still in the red, and that we still have the same issue that we do not have the room to house the prisoners.

Lengthy discussion was held on the state paying \$36 a day to house prisoners outside the state.

JP Anglin stated that when the legislative session is over they should invite the state legislators and have a full-blown presentation of our needs and what it is costing us, and our dilemma. She added that this is the state's problem and that giving the county \$2 a day more is not the answer.

JP K. Harrison stated that he has voiced these concerns to the Association of Arkansas of Counties, because this not only affects the county, it affects the cities.

JP Anglin made motion that a Legislative Committee meeting be held in June with the intent to invite our legislators, representatives from the Arkansas Association of Counties, the city mayors and police chiefs, and the Sheriff's Office to discuss overcrowding of the jails, seconded by JP J. Harrison.

Motion passed by unanimous show of hands.

E. Distribution of County Road Taxes

JP K. Harrison stated that he felt that they should challenge the distribution of the split of the county road tax.

Brenda Guenther stated that the County's road tax distribution is a 90/10 split with Bentonville, Rogers, and Siloam Springs.

Discussion was held on how to challenge the distribution of the county road tax split.

JP Sandlin made motion to send to the April 14, 2015 Committee of the Whole meeting for further discussion the distribution of the county road tax and the split to the cities, and then make recommendation on how to proceed, seconded by JP Chiocco.

County Attorney George Spence stated that at one point the county quit paying the cities their share of the road tax, then the cities sued the county, and the Supreme Court ruled in favor of the cities.

Further discussion was held on reviewing the county road tax split with the cities.

Motion passed by unanimous show of hands.

F. Senate Bill 333- An Act to Address the Protection of Private Property; to Declare an Emergency; and for Other Purposes

Lengthy discussion was held to oppose the adoption of Senate Bill 333 and Senate Bill 757 of the 2015 Arkansas General Assembly.

JP Anglin made motion to forward a resolution expressing the Quorum Court's opposition to adoption at this time of SB333 and SB757, with the intent that it be sent to the Arkansas Senators and Representatives representing Benton County and to the Governor of Arkansas, to the March 19, 2015 Quorum Court agenda, seconded by JP Sandlin.

Motion passed by unanimous show of hands vote.

Meeting adjourned at 8:03 p.m.